



1090 KING GEORGES POST ROAD  
SUITE 1103  
EDISON, NEW JERSEY 08837  
201-225-6160

C-584-05-91-119

May 28, 1991

Ms. Amy Brochu  
U.S. Environmental Protection Agency  
Region 2  
Edison, New Jersey, 08837

Re: Letter Report for New York Times Co., EPA I.D. NYD001315613

Dear Ms. Brochu:

After review of the available information for the Environmental Priorities Initiative Preliminary Assessment (PA) regarding the New York Times Co. (also known as The New York Times), **NO FURTHER REMEDIAL ACTION PLANNED (NFRAP)** is recommended. The site is located at 229 West 43rd Street, New York, New York. This preliminary assessment is authorized under TDD No. 02-9105-32. The basis for this NFRAP recommendation is presented in the information as follows:

- March 8, 1982- George Fried, Newsprint Manager, New York Times Co., filed a Notification of Hazardous Waste Activity (EPA form 8700-12) for the company with the United States Environmental Protection Agency (U.S. EPA), establishing it as a treatment/ storage/ disposal facility (TSDF).
- October 13, 1982- Frank Coolick, Chief, Bureau of Hazardous Waste Engineering, Division of Waste Management, New Jersey Department of Environmental Protection (NJDEP), notified D.B. Lowell, Lockwood Greene Engineers (environmental consultant to The New York Times), that the NJDEP had determined that the waste ink was non-hazardous as per lab analysis.
- September 13, 1983- James J. Cleary, U.S. EPA, conducted a Resource Conservation Recovery Act (RCRA) inspection at the New York Times Co. 43rd Street location. He reported the storage of approximately 50 drums of waste ink that were claimed to be non-hazardous by The New York Times. These drums were stored in the sub-basement prior to unmanifested shipment off site for reprocessing.
- October 19, 1983- Ernest A. Regna, Chief, Solid Waste Branch, U.S. EPA, requested that The New York Times provide information on waste ink quantity and analysis in substantiation that it was non-hazardous
- November 3, 1983- Harvey S. Siegel, Safety Manager, The New York Times, responded to the October 19, 1983 U.S. EPA letter. The New York Times reported that the company generated 25-30 drums of waste ink at the 43rd street location and that the drums were removed weekly. Additionally, a copy of lab analyses of the printing ink conducted by The New York Times' environmental consultant, Atlantic Environmental, was provided in documentation that the ink was non-hazardous according to RCRA.

306663



Ms. Amy Brochu  
 U.S. Environmental Protection Agency  
 May 28, 1991- Page Two

- December 4, 1984- Patricia Friel, Regulatory Coordinator, Sun Chemical Corporation, General Printing Ink Division, provided William Spina, Purchasing Director, The New York Times, with a Material Safety Data Sheet (MSDS) which further indicated that the Web Offset No-Heat Black Ink was non-hazardous.
- January 4, 1985- New York State Department of Environmental Conservation (NYSDEC) personnel conducted inspections at The New York Times' 43rd Street facility. It was determined that no hazardous waste was present on site, since the ink was determined to be non-hazardous. The facility, therefore, was neither a generator or a TSDF.
- January 10, 1985- The legal department of The New York Times requested that the NYSDEC remove The New York Times' name and EPA identification number from the state list of employers who handled hazardous waste as the Notification of Hazardous Waste Activity filed by the company in March 1982 was in error.
- January 16, 1985- Salvatore J. Carlomagno, P.E., Senior Sanitary Engineer, Manifest Section, Bureau of Hazardous Waste Operations, Division of Solid and Hazardous Waste, NYSDEC, granted The New York Times request for removal from the list of NYSDEC active hazardous waste handlers. This removal was effective January 16, 1985.
- April 26, 1985- David Mafriaci, P.E., Chief, Bureau of Hazardous Waste Operations Division of Solid and Hazardous Waste, NYSDEC, notified The New York Times that their facility was not subject to the New York State Hazardous Waste Regulations. He specified that since The New York Times had previously notified the EPA as a TSDF, the company should have contacted John L. Middelkoop, P.E., of the NYSDEC and to request that the facility be reclassified from TSDF status to non-regulated handler status.
- June 4, 1985- In response to the New York Times' request for reclassification, John L. Middelkoop Supervisor, Permit Section, Bureau of Hazardous Waste Technology, Division of Solid and Hazardous Waste, NYSDEC, confirmed that reclassification of the New York Times Company to a non-regulated handler had been completed.

The New York Times Company has no history of violations, uncontrolled releases, or emergency responses at the 43rd Street location. Since the printing ink is not RCRA-hazardous, there is no evidence that the New York Times operated as a generator or TSDF under U.S. EPA No. NYD001315613 and a recommendation of NFRAP is substantiated.

If you any questions, please do not hesitate to contact me.

Very truly yours,

  
 John F. Copman

Reviewed and Approved: 

JFC/bgp

Attachments

## REFERENCES

1. U.S. Environmental Protection Agency (U.S. EPA) Notification of Hazardous Waste Activity, EPA Form 8700-12, filed by the New York Times Co., March 8, 1982.
2. Letter from Frank Coolick, Chief, Bureau of Hazardous Waste Engineering, Division of Waste Management, New Jersey Department of Environmental Protection (NJDEP), to D.G. Lovell, Lockwood Greene Engineers, Inc. October 13, 1982.
3. U.S. EPA Resource Conservation Recovery Act, (RCRA) inspection form, New York Times Co., 229 West 43rd Street, New York, New York, September 13, 1983.
4. Letter from Ernest A. Regna, Chief, Solid Waste Branch, U.S. EPA, to Harvey Siegel, Safety Coordinator, New York Times Company. October 19, 1983.
5. Letter from Harvery S. Siegel, C.S.P., P.E., Safety Manager, to James Cleary, Environmental Engineer, Solid Waste Branch, U.S. EPA Region II. November 3, 1988; with attachments.
6. Letter from Patricia Friel, Regulatory Coordinator, Sun Chemical Corporation, General Printing Ink Division, to William Spina, Purchasing Director, New York Times. December 4, 1984.
7. U.S. EPA, RCRA inspection form, inspections conducted at New York Times Company on January 4 and 23, 1985, by Jerome J. Riordan, Assistant Sanitary Engineer, New York State Department of Environmental Conservation (NYSDEC). January 23, 1985.
8. Letter from Kenneth A. Richieri, Legal Department, The New York Times Company, to John L. Middelkoop, P.E., Supervisor, Permits Section, Bureau of Hazardous Waste Technology, Division of Solid and Hazardous Waste, NYSDEC. January 10, 1985.
9. Letter from Salvatore J. Carlomagno, P.E., Senior Sanitary Engineer, Manifest Section, Bureau of Hazardous Waste Operations, Division of Solid and Hazardous Waste, NYSDEC, to Kenneth A. Richieri, The New York Times Company. January 16, 1985.
10. Letter form David Mafrici, P.E., Chief, Bureau of Hazardous Waste Operations, Division of Solid and Hazardous Waste, NYSDEC, to George Fried, Newsprint Manager, New York Times Co. April 26, 1985.
11. Letter form John L. Middelkoop, P.E., Supervisor, Permit Section, Bureau of Hazardous Waste Technology, Division of Solid and Hazardous Waste, NYSDEC, to Kenneth A. Richieri, The New York Times Company Legal Department. June 4, 1985.
12. U.S. EPA Superfund Program, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Information System (CERCLIS) List- 4: Site Alias Location Listing, page 394, April 1, 1991.
13. U.S. EPA Superfund Program, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Information System CERCLIS List- 8: Site/Event Listing, page 338, April 1, 1991.

REFERENCE NO. 1

Solid Waste

EPA

# Identification and Listing of Hazardous Waste

This package is a complete reprint of the EPA regulations identifying and listing hazardous waste that were promulgated under Section 3001 of the Resource Conservation and Recovery Act (RCRA) on May 19, 1980. If you need a copy of the preamble discussion to this regulation or a copy of other regulations for hazardous waste management that were promulgated under Subtitle C of RCRA please contact:

Mr. Ed Cox  
U.S. Environmental Protection Agency  
P.O. Bldg. B  
Dalton and Liberty Streets  
Dock 14  
Cincinnati, Ohio 45214  
(513) 684-5362



U.S. ENVIRONMENTAL PROTECTION AGENCY  
NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

**INSTRUCTIONS:** If you received a preprinted label, affix it in the space at left. If any of the information on the label is incorrect, draw a line through it and supply the correct information in the appropriate section below. If the label is complete and correct, leave items I, II, and III below blank. If you did not receive a preprinted label, complete all items. "Installation" means a single site where hazardous waste is generated, treated, stored and/or disposed of, or a transporter's principal place of business. Please refer to the INSTRUCTIONS FOR FILING NOTIFICATION before completing this form. The information requested herein is required by law (Section 3010 of the Resource Conservation and Recovery Act).

PLEASE PLACE LABEL IN THIS SPACE

INSTALLATION'S EPA I.D. NO.

I. NAME OF INSTALLATION

II. INSTALLATION MAILING ADDRESS

III. LOCATION OF INSTALLATION

FOR OFFICIAL USE ONLY

COMMENTS


INSTALLATION'S EPA I.D. NUMBER

APPROVED

DATE RECEIVED

F M Y D 0 0 1 3 1 5 6 1 3										T/A C		A		8 2 0 3 0 8							

I. NAME OF INSTALLATION

NEW YORK TIMES CO.

II. INSTALLATION MAILING ADDRESS

STREET OR P.O. BOX

3229 WEST 43 ST.

CITY OR TOWN

NEW YORK

ST.

ZIP CODE

NY 10036

III. LOCATION OF INSTALLATION

STREET OR ROUTE NUMBER

3229 WEST 43 ST.

CITY OR TOWN

NEW YORK

ST.

ZIP CODE

NY 10036

IV. INSTALLATION CONTACT

NAME AND TITLE (last, first, & job title)

PHONE NO. (area code & no.)

FRIED GEORGE NEWSPRINT MGR

212-556-1103

V. OWNERSHIP

A. NAME OF INSTALLATION'S LEGAL OWNER

NEW YORK TIMES CO.

B. TYPE OF OWNERSHIP (enter the appropriate letter into box)

F - FEDERAL  
M - NON-FEDERAL

M

A. GENERATION

B. TRANSPORTATION (complete item VII)

C. TREAT/STORE/DISPOSE

D. UNDERGROUND INJECTION

VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es))

A. AIR

B. RAIL

C. HIGHWAY

D. WATER

E. OTHER (specify):

VIII. FIRST OR SUBSEQUENT NOTIFICATION

Mark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA I.D. Number in the space provided below.

X A. FIRST NOTIFICATION

B. SUBSEQUENT NOTIFICATION (complete item C)

C. INSTALLATION'S EPA I.D. NO.

IX. DESCRIPTION OF HAZARDOUS WASTES

Please go to the reverse of this form and provide the requested information.

W

7/A C

13 14 15

## DESCRIPTION OF HAZARDOUS WASTES (continued from front)

**HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES.** Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from non-specific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
7	8	9	10	11	12
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

**HAZARDOUS WASTES FROM SPECIFIC SOURCES.** Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
19	20	21	22	23	24
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
25	26	27	28	29	30
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

**COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES.** Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
37	38	39	40	41	42
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
43	44	45	46	47	48
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

**LISTED INFECTIOUS WASTES.** Enter the four-digit number from 40 CFR Part 261.34 for each listed hazardous waste from hospitals, veterinary hospitals, medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

**CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES.** Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24.)

☒ 1. IGNITABLE  
(D001)

☐ 2. CORROSIVE  
(D002)

☐ 3. REACTIVE  
(D003)

☐ 4. TOXIC  
(D000)

## CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE

NAME &amp; OFFICIAL TITLE (type or print)

DATE SIGNED

George Fried  
NEWS PRINT MGR.

3-8-82

Form 8700-12 (6-80) REVERSE

*Handing January 4, 1985 10:30 AM*  
Kenneth A. Richieri  
attorney  
The New York Zinc Company  
229 West 43rd Street,  
New York, N.Y. 10036  
212-556-1760

*Tom Cunningham*  
556-1960  
*Ken Richieri* (202)-556-1760

DETACH A

DETACH B

DETACH C

DETACH D

DETACH E

DETACH F

REFERENCE NO. 2





FILE NO. \_\_\_\_\_  
NEW YORK OFFICE  
LOCKWOOD GREENE ENGINEERS, INC.

OCT 13 1982

RECEIVED

State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WASTE MANAGEMENT

32 EAST HANOVER STREET  
TRENTON, N.J. 08625

October 13, 1982

LINO F. PEREIRA

Deputy Director

S. Klim

Mr. D. G. Lovell  
Lockwood Greene Engineers, Inc.  
200 Park Avenue  
New York, NY 10166-0028

RE: Permitting Requirements for Proposed Incinerator

Dear Mr. Lovell:

The Division of Waste Management is in receipt of your letter of September 21, 1982 to Mr. David Schrier of our Technical Assistance Section containing the analysis of the on-site generated waste ink that is intended to be burned in the proposed on-site New York Times incinerator in Carlsdadt. The Division has determined that this waste ink is non-hazardous as per the September 21, 1982 analysis information.

Please be advised that the waste ink which conforms with the representative sample analyzed is classified as industrial waste (I.D. #27) pursuant to the rules on the New Jersey Hazardous Waste Regulations and that this determination expresses no opinion regarding any particular batch of waste ink to the extent that its characteristics and content differ from the representative sample analyzed. This response also does not constitute any representation as to the actual chemical composition of said material.

Since the proposed incinerator is not intended for burning hazardous waste, no permit is required for this incinerator from the Bureau of Hazardous Waste Engineering pursuant to N.J.A.C. 7:26-1 et seq. This determination is predicated on the fact that no hazardous waste will be, or is intended to be in the future, burned in the incinerator.

This letter also will not absolve the New York Times facility from securing necessary permitting as required under N.J.A.C. 7:27-8 et seq. covering requirements under Air Pollution Regulations. At the August 12, 1982 meeting in Trenton, BAPCO personnel were in attendance, and it is recalled that these regulations were given to you.

Copies of this letter are being sent to Mr. William O'Sullivan and Mr. William Hart of BAPCO so that they may be aware of the foregoing determination by this Bureau.

Please contact Mr. Walter Burshtin, Chief of the Bureau of Solid Waste Facility Review in order to ascertain whether a permit is required pursuant to the New Jersey Solid Waste Regulations. He can be reached at (609) 292-7019.

If you have any questions, please contact Mr. Robert Chinery of my staff at (609) 292-6363.

Very truly yours,



Frank Coolick, Chief  
Bureau of Hazardous Waste Engineering

FC:RC:ER:jfb

cc Walt Burshtin  
William O'Sullivan  
William Hart  
Dave Schrier

REFERENCE NO. 3

RCRA INSPECTION FORM

OCT 13 2 05 PM '83

ENVIRONMENTAL PROTECTION  
AGENCY  
NEW YORK, N.Y. 10002

PAB

2

Report Prepared for:

Generator ☐

Transporter ☐

(TSD) facility ☒

Copy of report sent to the facility ☐

Facility Information

Name: NEW YORK TIMES Co.

Address: 229 WEST 43<sup>RD</sup> ST.  
NEW YORK, N.Y. 10036

EPA ID#: NYD001315613

Date of Inspection: SEPTEMBER 13, 1983

Participating Personnel

State or EPA Personnel: JAMES J. CLEARY

Facility Personnel: HARVEY SIEGEL

FRANK CHIMENTO - ACT. GEN. FOREMAN

Report Prepared by Name: JAMES J. CLEARY

Agency: EPA

Telephone #: (212) 214-8929

Approved for the Director by:



Summary of FindingsFacility Description and Operations

COMPANY PRINTS ONE OF THE THREE MAJOR NEWSPAPERS SOLD IN NEW YORK CITY. THE COMPANY EMPLOYS APPROXIMATELY 400 PEOPLE IN THE PRESSROOM WHERE THE PAPER IS ACTUALLY PRINTED, & THE WASTE IS GENERATED. THERE ARE APPROXIMATELY 9 PRESSES IN THE PRESSROOM. THE FACILITY PRINTS THE PAPERS AT NIGHT & CLEANS THE PRESSES DURING THE DAY. THE COMPANY USES "HEXCFL" COMBINED WITH 4 OR 5 PARTS WATER TO CLEAN THE PRESSES. THEN, DEPENDING ON THE TYPE OF PRESS, THIS WASTE, ALONG WITH INK THAT LEAKS FROM THE PRESSES, DRAINS TO A TROUGH IN A SUB-BASEMENT WHICH IN TURN DRAINS INTO 55 GAL DRUMS. ON OTHER PRESSES AIR VACUUMS ARE USED TO VACUUM THE WASTE INK FROM THE FOUNTAINS DIRECTLY INTO 55 GAL DRUMS. DRUMS ARE SHIPPED UNMANIFESTED TO SUN CHEMICAL IN NEW JERSEY WHERE THE INK IS THEN REPROCESSED.

Describe the activities that result in the generation of hazardous waste.

SEE PAGE -A-

Identify the hazardous waste located on-site, and estimate the approximate quantities of each. (Identify Waste Codes)

THERE WERE APPROXIMATELY 50 DRUMS OF WASTE INK IN THE  
STORAGE AREA OF THE SUB-BASEMENT

-C-

Is there reason to believe that the facility has hazardous waste on-site? *Yes*

a. If yes, what leads you to believe it is hazardous waste?  
Check appropriate boxes:

- ☐ Company admits that its waste is hazardous during the inspection.
- ☒ Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.
- ☐ The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)
- ☐ The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)
- ☐ The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)
- ☐ Testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)
- ☐ Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

GENERATOR INSPECTION CHECKLIST

40 CFR 262 Subpart A-General

262.11 - Hazardous waste determination

- 1) Did the generator test its waste to determine whether it is hazardous?

Is the waste hazardous? *NOT SURE*

- 2) Is the generator determining that its waste exhibits a hazardous waste characteristic(s) based on its knowledge of the material(s) or processes used?

40 CFR 262 Subpart B-The Manifest

Has hazardous waste been shipped off-site since November 19, 1980?

*If yes*, approximately how many shipments, off-site, have been made and describe the approximate size of an average shipment made on a monthly basis. If facility is a small quantity generator, please explain.

262.21 Does each manifest (or representative sample) have the following information? Please circle the missing elements.

- a manifest document number?
- the generator's name, mailing address, telephone number and EPA I.D. Number?
- the transporter's name and EPA I.D. Number?
- the name, address and EPA ID Number of the designated facility?
- a description of the wastes (DOT)?
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle?
- a certification that the materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation under regulations of the DOT and EPA?

(obtain a copy of the incomplete manifests)

40 CFR 262 - Subpart D - Recordkeeping and Reporting

262.40 Has the generator maintained facility records since Nov. 19, 1980? (manifest, exception report and waste analysis)

262.42 Has the generator received signed copies (from the TSD facility) of all the manifests for waste shipped off-site more than 35 days ago?

Has the generator received signed copies (from the TSD facility) of all the manifests for waste shipped off-site more than 45 days ago?

YES NO N/A

*DONE BY OTHERS*

*COMPANY CLAIMS WASTE NON-HAZ*



YES NO N/A

49 CFR 262 - Subpart C - Pretransportation Requirements

262.30-33 Before transporting or offering hazardous waste for transportation off-site does the generator:

UNABLE TO  
DETERMINE  
AT TIME OF  
INSPECTION

- 1) Package the waste in accordance with applicable DOT regulations (i.e., 49 CFR Parts 173, 178 & 179) \_\_\_\_\_
- 2) Label each package according to DOT (i.e., 49 CFR 172) \_\_\_\_\_
- 3) Mark each package according to DOT (i.e., 49 CFR 172) \_\_\_\_\_
- 4) Mark each container of 110 gallons or less with the words "Hazardous Waste - Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. EPA." and include the generator's name, address and manifest document number. (i.e., 49 CFR 172.304) \_\_\_\_\_

262.34 Accumulation Time

1) How is waste accumulated on-site?

- ☒ Containers
- ☐ Tanks
- ☐ Surface impoundments (complete SWP checklist)
- ☐ Piles (complete SWP checklist)

2) Is waste accumulated for more than 90 days? \_\_\_\_\_

If yes, complete SWP checklist

- 3) Is each container clearly dated with each period of accumulation so as to be visible for inspection? \_\_\_\_\_
- 4) Is each container or tank marked or labeled with the words "Hazardous Waste" or in compliance with the DOT labeling requirements? \_\_\_\_\_

COMPANY  
CLAIMS WASTE  
IS NON-  
HAZ.

STOP HERE IF THE HAZARDOUS WASTE MGT FACILITY (TSD) CHECKLIST IS FILLED OUT

263.14 - SECRET WASTE MANAGEMENT STANDARDS

(For generators who accumulate waste in tanks or containers for 90 days or less)

40 CFR 263 - Subpart I Containers

YES NO N/A

263.170 - What type of containers are used for storage. Describe the size, type and quantity and nature of waste (e.g., 12 fifty-five gallon drums of waste acetone). 55 GAL DRUM

263.171 - Do the containers appear to be in good condition, not in danger of leaking?

IF NOT, please describe the type, condition and number of leaking or corroded containers. Be detailed and specific.

263.172 - Are hazardous waste stored in containers made of compatible materials?

IF NOT, please explain.

SEVERAL CONTAINERS  
WERE OPEN & APPEARED  
BE 1/2 TO 3/4 FULL  
WERE LOCATED  
IN THE STORAGE  
AREA

263.173(a) - Are all containers closed except those in use?

263.173(b) - Do containers appear to be properly opened, handled or stored in a manner which will minimize the risk of the container rupturing or leaking?

263.174 - Is the storage area inspected at least weekly?

263.176 - Are containers holding ignitable and reactive waste located at least 50 feet (15 meters) away from the facility's property line?

263.177 - Are incompatible waste stored separate from each other?

40 CFR 263 Subpart J - Tanks

YES NO N/A

265.190 1) What are the approximate number and size of tanks containing hazardous waste?                      ✓

2) Identify the waste treated/stored in each tank.                     

265.192 - General Operating Requirements

1) Are the tanks maintained so that there is no evidence of past, present, or risk of future leaks?                      ✓

If no, please explain.                     

2) Are there leaking tanks?                      ✓

3) Are all hazardous wastes or treatment reagents being placed in tanks compatible with the tank material so that there is no danger of ruptures, corrosion, leaks or other failures?                      ✓

4) Do uncovered tanks have at least 2 feet of freeboard or an adequate containment structure?                      ✓

5) If waste is continuously fed into a tank, is the tank equipped with a means to stop the inflow from the tank? e.g. bypass system to a standby tank                      ✓

265.194 - Inspections

1) Is the tank(s) inspected each operating day for  
a) discharge control equipment                      ✓  
b) monitoring equipment                      ✓  
c) Level of waste in tank                      ✓

2) Are the tanks and surrounding areas (e.g., dikes) inspected weekly for leaks, corrosion or other failures?                      ✓

3) Are there underground tanks?                      ✓

If yes, how many and can they be entered for inspection?                      ✓

265.198 - Are ignitable or reactive wastes stored in a manner which protects them from a source of ignition or reaction?                      ✓

If no, please explain.                     

265.199 - Does it appear that incompatible wastes are being stored separate from each other?                      ✓

YES NO N/A

265.16 - Personnel Training

COMPANY  
CLAIMS WASTE  
IS NON-  
HAZ

- 1) Have facility personnel successfully completed a program of classroom instruction or on-the-job training within 6 months of having been employed? — ☒ —
- If yes, have facility personnel taken part in an annual review of training? — ☒ —
- 2) Is there written documentation of the following:
  - job title for each position at the facility related to hazardous waste management and the name of the employee filling each job? — ☒ —
  - type and amount of training to be given to personnel in jobs related to hazardous waste management? — ☒ —
  - actual training or experience received by personnel? — ☒ —
- 3) Are training records kept on all employees for at least 3 years? — ☒ —

40 CFR 265 - Subpart C - Preparedness and Prevention

- 265.12 Does the facility comply with preparedness and prevention requirements including maintaining:
- an internal communications or alarm system? — ☒ —
  - a telephone or other device to summon emergency assistance from local authorities? — ☒ —
  - portable fire equipment? — ☒ —
  - water at adequate volume and pressure to supply water hose streams, from producing equipment, etc. — ☒ —
- 265.13 Is equipment tested and maintained? — ☒ —
- 265.14 Is there immediate access to communications or alarm systems during handling of hazardous waste? — ☒ —
- 265.15 Adequate aisle space? — ☒ —
- If no, please explain storage pattern.
- In your opinion, do the types of waste on-site require all of the above procedures, or are some not needed? Explain. — — —

40 CFR 265 - Subpart D - Contingency Plan and Emergency Procedures

- Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosions or any unplanned release of hazardous waste? — ☒ —
- 1) Does the plan describe arrangements made with the local authorities? — ☒ —
  - 2) Has the contingency plan been submitted to the local authorities? — ☒ —
  - 3) Does the plan list names, addresses and phone numbers of Emergency Coordinators? — ☒ —
  - 4) Does the plan have a list of what emergency equipment is available? — ☒ —
  - 5) Is there a provision for evacuating facility personnel? — ☒ —
  - 6) Was there an emergency coordinator present or on call at the time of the inspection? — ☒ —

**REFERENCE NO. 4**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II  
26 FEDERAL PLAZA  
NEW YORK NEW YORK 10278

OCT 1 1985

*Attachment  
#2*

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Harvey Siegel  
Safety Coordinator  
New York Times Company  
229 West 43rd Street  
New York, New York 10036

Re: New York Times Company, New York, New York  
EPA I.D. Number NYD001315613

Dear Mr. Siegel:

The United States Environmental Protection Agency (EPA) regulates the handling of hazardous waste under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq.

Section 3007 of RCRA, 42 U.S.C. §6927, allows EPA to request certain information from parties who handle or have handled hazardous waste. Pursuant to the provisions of this Section, we hereby require that you answer the questions posed and provide the information requested in Attachment I. Your reply should be completed and signed by a responsible official of your company, and must be returned within 20 calendar days of the date of this letter.

Your response to the request in Attachment I should be mailed within the date specified to Mr. James Cleary, Environmental Engineer, Solid Waste Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278. Also, please send a copy of this response to Mr. Paul Zambratto, Permits Administration Branch, at the same address.

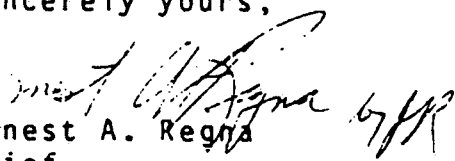
Your failure to respond to this letter truthfully and accurately within the time provided, may subject you to the initiation of an enforcement action under Section 3008 of RCRA, 42 U.S.C. §6928. Such enforcement action may include the assessment of substantial penalties of up to \$25,000 for continued non-compliance. This information request is not subject to the Paperwork Reduction Act of 1980, Title 44 of the United States Code.

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N.Y.S.D.E.C.-REGION 2  
JAN 4 1985  
SOLID WASTE

-2-

If you have any questions about this letter, you may call Mr. James Cleary of my staff, at (212) 264-8929. Your cooperation is appreciated.

Sincerely yours,

  
Ernest A. Regna  
Chief  
Solid Waste Branch

Enclosure

cc: Anna Saracco  
NYSDEC, Region 2 (w/encl.)

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JAN 4 1985  
SOLID WASTE

New York Times Company  
229 West 43rd Street  
New York, New York 10036

Attachment I

1. How much ink waste is generated each month at this site?
2. Please submit test data documenting that the ink waste generated at this site is nonhazardous. This should include a description of the analytic methods and procedures used.

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N.Y.S.D.E.C.-REGION 2

JAN 4 1985

**SOLID WASTE**



**REFERENCE NO. 5**

**The New York Times**

229 WEST 43 STREET  
NEW YORK NY 10036

*Attachment*  
*#4*

November 3, 1983

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

**RECEIVED**  
N.Y.S.D.E.C.-REGION 2  
JAN 4 1985  
**SOLID WASTE**

Mr. James Cleary,  
Environmental Engineer  
Solid Waste Branch  
U.S. Environmental Protection Agency, Region II  
26 Federal Plaza  
New York, N. Y. 10278

Re: New York Times Company  
N.Y., N.J.  
E.P.A.I.D. #NYD001315613

Dear Mr. Cleary:

In answer to Dr. Regna's letter of October 19, 1983 please note the answers to the two questions proposed in Attachment I.

1. The Times operation at 43rd Street generates 25-30 drums of waste ink that is removed weekly.
2. Enclosed is a report from our consultant Atlantic Environmental Incorporated that should document to your satisfaction that the ink is nonhazardous.

Please send me a note indicating we had answered your questions.

Would you kindly remove our name and R.C.R.A.I.D. number from your list of employers who handle hazardous waste.

Sincerely yours,

*Harvey S. Siegel*

Harvey S. Siegel, C.S.P., P.E.  
Safety Manager

HSS:MV



Attachment  
#3

Page 1 of 2

## REPORT OF ANALYSIS

October 1983

Type of Sample-Ink Sludge from Black News Ink

Source of Sample-New York Times, New York City

Analysis: For Hazardous Waste Classification

Discussion: Atlantic Environmental obtained information from the New York Times regarding the ingredients of news ink and news ink sludge. In addition, the literature was reviewed regarding ingredients. Also, considerable experience in the news ink and printing ink industries was utilized in this evaluation.

### Review of Contents

Performed by: Atlantic Environmental

<u>Review</u>	<u>Source</u>	<u>Results</u>
Hazardous Waste	RCRA Haz. Waste List	No listed wastes are ingredients
Acute Haz. Waste	RCRA Acute Haz. Waste	"
Non-Specific Wastes	RCRA 261.31 List	No waste streams describe ink sludge wastes
Specific Waste	RCRA 261.32 List	No waste streams describe ink sludge
REACTIVITY	RCRA 261.23	Non-reactive
IGNITABILITY	RCRA 261.21	SEE LAB ANALYSIS
CORROSITIVITY	RCRA 261.22	SEE LAB ANALYSIS
EP TOXICITY	RCRA 261.24	SEE LAB ANALYSIS

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JAN 4 1985  
SOLID WASTE

# REPORT OF ANALYSIS

October 1983

## WASTE ANALYSIS

The above review indicated a need to perform several tests to confirm the confirmation and content of the ink sludge.

The analysis was performed using the EPA 1982 criteria for analysis of wastes for hazardous ingredients.

<u>ANALYSIS</u>	<u>METHOD</u>	<u>RESULTS</u>
pH	pH meter	No pH
Flash Point	Pensky-Martin Covered Cup	Above 210°F

## EP TOXICITY

	<u>EXTRACTION/AA</u>	
ARSENIC		None detected (ND)
BARIUM	" /I-CAP	0.46mg/l
CADMIUM	" /AA	0.0045mg/l
CHROMIUM	" /AA	ND
LEAD	" /AA	0.070mg/l
MERCURY	" /AA	ND
SELENIUM	" /AA	ND
SILVER	" /AA	ND

## CONCLUSION

The above review and lab analysis indicates the news ink sludge sample is non-hazardous.

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JAN 4 1985  
SOLID WASTE



# Continental Technical Services

A Facility of The Continental Insurance Companies

THE ENVIRONMENTAL HEALTH LABORATORY  
of  
CONTINENTAL TECHNICAL SERVICES  
9742 SKILLMAN • DALLAS, TEXAS 75243 • 214/343-2025

LABORATORY REPORT 83-1287

83/10/21

ATLANTIC ENVIRONMENTAL, INC.  
112 MAIN ROAD  
MONTVILLE NJ 07045

tn: BOB SHERIFF

EH NO.	FIELD NO.	SAMPLE MEDIA	SAMPLE VOL.	ANALYSIS	RESULTS
0192		BULK	--	RCRA	SEE ATTACHED

COMMENTS:

THANK YOU !

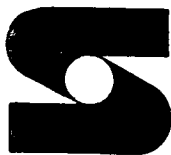
*Roger Hallstein*  
ROGER HALLSTEIN, Ph.D.  
LABORATORY MANAGER

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N.Y.S.D.E.C.-REGION 2  
JAN 4 1985  
SOLID WASTE



REFERENCE NO. 6

Sun Chemical Corporation



General Printing Ink Division

#50

Graphic Arts Laboratory

631 Central Avenue  
Carlstadt,  
New Jersey 07072  
(201) 933-4500  
Telex: 13-3462

December 4, 1984

Mr. William Spina  
Purchasing Director  
New York Times  
229 West 43rd Street  
New York, New York 10036

RECEIVED

N.Y.S.D.E.C.-REGION 2

JAN 4 1985

SOLID WASTE

Dear Mr. Spina:

Your recent request to our General Printing Ink News Ink division was referred to this office for reply.

In order to satisfy the requirements of the Department of Labor for product safety information, General Printing Ink utilizes a generic approach by product line. Enclosed please find a material safety data sheet for the Web Offset No-Heat Black Ink that is currently in supply to your company.

I trust this information will satisfy your needs.

Very truly yours,

Patricia Friel  
Regulatory Coordinator

PF:kg

Encl.



# MATERIAL SAFETY DATA SHEET

NAPIM 11-

DATE:

(For Printing Ink and Related Materials)

## Section I

MANUFACTURER'S NAME GENERAL PRINTING INK NEWS INK DIVISION		EMERGENCY PHONE NO. (201) 935-8666
STREET ADDRESS (No., City, State, Zip) 631 CENTRAL AVENUE, CARLSTADT, N.J. 07072		
PRODUCT CLASS OFFSET - NO-HEAT	TRADE NAME OFFSET NEWS BLACK	MANUFACTURERS CODE

## Section II — HAZARDOUS INGREDIENTS

PRINTING INKS OF THIS CLASSIFICATION CONTAIN UP TO 75% BY WEIGHT OF MIXED PROPRIETARY MINERAL OILS. THESE OILS ARE ESSENTIALLY NON-VOLATILE.

THIS MIXTURE CONTAINS NO OTHER INGREDIENTS KNOWN TO RETAIN HAZARDOUS PROPERT

**RECEIVED**

N.Y.S.D.E.C.-REGION 2

JAN 4 1985

**SOLID WASTE**

## Section III — PHYSICAL DATA

BOILING RANGE	F° 600 + HIGHER	TYPE OF ODOR		OILY
VAPOR DENSITY	HEAVIER ( X )	EVAPORATION RATE vs. ETHER	FASTER	
	LIGHTER ( ) vs. AIR		SLOWER	X
LIQUID DENSITY	HEAVIER ( ) LIGHTER ( X ) vs. WATER	PERCENT VOLATILE WT.		ESSENTIAL NONE
APPEARANCE	BLACK VISCOUS FLUID			

## Section IV - FIRE & EXPLOSION DATA

FLASH POINT CATEGORY (NFPA)	IIIB	LOWEST FLASH POINT	440° F	LEL	N/A
--------------------------------	------	-----------------------	--------	-----	-----

EXTINGUISHING MEDIA: CO<sub>2</sub>, FOAM, DRY POWDER

SPECIAL FIRE FIGHTING PROCEDURE: TREAT AS AN OIL FIRE - DO NOT USE WATER

UNUSUAL FIRE & EXPLOSION HAZARDS  
DENSE SMOKE MAY BE GENERATED DURING COMBUSTION

## Section V — HEALTH HAZARD DATA

RECEIVED

N.Y.S.D.E.C.-REGION 2

JAN 4 1985

SOLID WASTE

THRESHOLD LIMIT VALUE

NONE HAS BEEN ESTABLISHED

EFFECTS OF OVEREXPOSURE:

EXCESSIVE INHALATION MAY CAUSE LOCAL IRRITATION OR DROWSINESS.  
PROLONGED EXPOSURE COULD CAUSE SKIN IRRITATION.

EMERGENCY FIRST AID:

EYE CONTACT - FLUSH WITH WATER - CONSULT PHYSICIAN  
SKIN CONTACT - WASH WITH SOAP AND WATER  
INGESTION - DO NOT INDUCE VOMITING. CONSULT PHYSICIAN IMMEDIATE

## Section VI — REACTIVITY DATA

PRODUCT STABILITY

STABLE

UNSTABLE

X

CONDITIONS TO AVOID

NOT APPLICABLE

## Section VII — SPILL OR LEAK PROCEDURES

PROCEDURE WHEN MATERIAL SPILLED OR RELEASED

WIPE UP MAY USE HYDROCARBON SOLVENTS TO AID IN CLEANING.  
REMOVE ALL IGNITION SOURCES AND PROVIDE ADEQUATE VENTILATION.

WASTE DISPOSAL METHOD

IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS.

## Section VIII — SPECIAL PROTECTION INFORMATION

VENTILATION

IN ACCORDANCE WITH GOOD ENGINEERING PRACTICES.

PROTECTIVE EQUIPMENT; RESPIRATORY, EYE, ETC.

SUITABLE EYE PROTECTION TO AVOID ACCIDENTAL CONTACT.  
GLOVES SHOULD BE PROVIDED WHERE PROLONGED CONTACT MAY OCCUR.

## Section IX - SPECIAL PRECAUTIONS

Storage & Handling

SHOULD BE STORED IN CLOSED CONTAINERS IN A COOL, WELL VENTILATED AREA.

**REFERENCE NO. 7**

# INSPECTION FORM

REGION: TWOMajor:           Non-Major: ✓

NEW YORK STATE

## INDUSTRIAL HAZARDOUS WASTE MANAGEMENT ACT

(Chapter 639, Laws of 1978)



Prepared for:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Henry G. Williams, CommissionerDivision of Solid and Hazardous Waste  
Norman H. Nosenchuck, DirectorSend to: Compliance Inspection Section  
50 Wolf Road - Room 207/415  
Albany, New York 12233-0001EPA I.D. NUMBER: NY D 00 1315613\*HANDLER'S NAME (Corporate): New York Times Co.(Division):           \*HANDLER'S MAILING ADDRESS: 229 West 43rd Street

City &amp; State

New YorkN.Y.

Zip Code

100436\*HANDLER'S LOCATION ADDRESS:  
(if different than mailing)

City &amp; State

Zip Code

\*HANDLER'S TELEPHONE NUMBER: (212) 556 1103

Extension

\*FULL NAME OF HANDLER'S CONTACT: (Mr.) George Fried (ON NOTIFICATION RCRA)\*TITLE OF HANDLER'S CONTACT: Newsprint ManagerFacility Contact At Time of Inspection: Mr. Kenneth Richieri, Attorney for N.Y. Times\*HANDLER'S CONTACT ADDRESS: 229 West 43rd Street  
(if different than Handler's)

City &amp; State

New YorkNew York

Zip Code

10036\*HANDLER'S CONTACT TELEPHONE NUMBER: (212) 556-1760

Extension

(if different than Handler's)

INSPECTION DATE: Wednesday, January 23, 1985

TIME OF INSPECTION:

11:00

a.m.

COUNTY: New York

E/A NUMBER:

620000INSPECTOR'S NAME: Jerome J. RiordanTITLE: Assistant Sanitary EngineerNAME: Armand DeAngelisTITLE: Solid Waste Management Specialist ICHECK ONE: Copy of THIS report (    has ) (    has not ) been given to the Handler.REPORT PREPARED BY: Jerome J. Riordan, Asst. San. Eng.

DATE:

January 23, 1985REPORT APPROVED BY: Armand DeAngelis

DATE:

1/23/85RCRA  
Notifica  
Listing

New York State Department of Environmental Conservation  
 Division of Solid and Hazardous Waste  
 50 Wolf Road, Albany, New York 12233

## PART I

General Information and Classification of Facility1. Identification of Hazardous Waste - 366

Yes      No

A. Is there reason to believe the facility has hazardous waste on-site? If yes, what leads you to believe it is hazardous waste? Check appropriate box/boxes and attach any applicable correspondence with DEC or EPA:

(1) ☐ Company recognizes that its waste is hazardous during the inspection.

(2) ☒ Company admitted the waste is hazardous in its RCRA notification and/or Part A permit application. DO NOT (Ignitable)

(3) ☐ EPA testing (SWA-46) has shown characteristics of:  
     (    ) ignitability - 366.3(b);  
     (    ) corrosivity - 366.3(c);  
     (    ) reactivity - 366.3(d);  
     (    ) EP toxicity - 366.3(e)

☐ Has revealed hazardous constituents (please attach analysis report) 366.4(a)2 (261 Appendix VIII)

(4) ☐ The material is listed in the regulations as a hazardous waste from non-specific sources 366.4b.

(5) ☐ The waste material is listed in the regulations as a hazardous waste from specific sources. 366.4c.

(6) ☐ The material or product is listed in the regulations as discarded commercial chemical products, off-specification species, containers residues and spill residues thereof. 366.4d.

(7) ☐ Company is unsure, but they have reason to believe that waste materials are hazardous. (Explain) \_\_\_\_\_

(8) ☐ If don't know, please explain: \_\_\_\_\_

- B. Is there reason, other than those above, for you to believe that there are hazardous waste on site? (Explain) No

- C. What other environmental permits are held by the company, relative to hazardous waste management?

\_\_\_\_ SPDES Permit Number      \_\_\_\_ Air Permit Number

\_\_\_\_ Part 364 Industrial Waste Transporter Permit (indicate this company's permit number if any)

Please describe other relevant (if any) permits and give the name, address, Part 364 Permit Number and EPA I.D. Number of transporter(s) used by company.

NONE

- D. If the facility is a treatment, storage or disposal facility, have they:

NA Submitted a Part A application. NA Have changes been made that are not reflected in the Part A application? Should the Part A be modified by the Company? \_\_\_\_ If so, explain.

NA Submitted a Part B application.

NA Been granted a Part 360 permit.

If so, when does it expire: NA

Please attach or explain any special conditions or variances - 360.1(g) NA

NA Been granted a hazardous waste Part B permit.

E.P.A. ID No. NYD001315613

If so, also complete the facility Part B (Part 360) permitted inspection report - Appendix K.

- E. Describe the activities that result in the generation of hazardous waste. Include the company's manufacturing processes.

MANUFACTURING PROCESS - The New York Times Company is a Newspaper publisher, which prints The New York Times Newspaper. In their operations they use printing presses to publish the Sunday and Daily Newspapers. In the press room which has about nine presses and in which the printing is done at night there is waste generated in the waste ink leaking from presses and from cleaning of presses. This waste was ~~initially~~ initially as ~~known~~ known by the New York Times and they made application for an E.P.A. ID Number. Information has since been submitted to show this waste to be non-hazardous by N.Y. Times ~~to EPA~~.

- F. Identify the hazardous wastes that are on-site and the quantity of each (use the identification numbers referred to in Part 366).

\* At Time of Inspection, the facility contact person, Mr. Kenneth Richieri, Attorney for the New York Times Company after submitting correspondence <sup>and information</sup> relative to information concerning the waste ink & ink sludge informed me that he did not have authority to allow me to inspect the Times Facility and that he could not obtain authorization. Initially this person was given a copy of credentials as a NYS DEC representative which he photostated prior to the commencement of this meeting. Consequently I was refused to be allowed to inspect this facility. Towards end of meeting when I made request, Facility Inspected Wednesday, January 23, 1985 at 11:00 AM. The area where waste is generated

is in the Press Rooms in Basement and Sub-Basement Areas of Building. The waste generated is the ink which leaks from the presses and overflow and clean up of presses and floor after printing operations are completed. This waste ink is non-hazardous and amounts to 35-45 drums per week.

- G. The handler notified EPA as a: TSD - Treatment/Storage/Disposal. Item C of Section VI.

VI. Type of Hazardous Waste Activity in, Notification of Hazardous Waste Activity Signed March 8, 1982 by George Fried, Newspaper Manager, and under Section IX Item (E) The Characteristics of Non-Listed Hazardous Waste was ~~listed~~ listed as D001 (Ignitable)

Has EPA or DEC officially modified the handlers status? If so, attach correspondence.

*No Record Shown By Facility Representative Indicating That They The Facility Ever Notified Either By DEC or EPA That Their Handler Status Was Modified. N.Y. Times Did Show Documentation That The Ink Sludge Waste Was Non-Hazardous Which Was Submitted To EPA*

2. Status Identification:

This handler should be inspected as a (check each appropriate category after considering exemptions)

A. NA Transporter - complete Appendix B

B. Generator Status Identification 365.1

1. NA Category 1 generator - small quantity generator - generates than 100 kg/mo and stores less than 100 kg. - 365.1(e)(1)i - Complete Part II, 1B.
2. NA Category 2 generator - small quantity generator - generates less than 100 kg/mo and stores more than 100 kg but less than 1,000 kg. - 365.1(e)(1)ii - Complete Part II, 1C.
3. NA Category 3 generator - small quantity generator - generates more than 100 kg/mo but less than 1,000 kg/mo and stores less than 1,000 kg. - 365.1(e)(1)iii - Complete Part II, 1C and 1D.
4. NA Category 4 generator - small quantity generator as set forth in 365.1(e)(1)iv Below - Complete Part II, 1B.
  - (a) ☐ A total of one kilogram of all commercial product or manufacturing chemical intermediate having the generic name listed in paragraph 366.4(d)5.
  - (b) ☐ A total of one kilogram of any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in paragraph 366.4(d)5.
  - (c) ☐ Any containers identified in paragraph 366.4 (d)(3) of this title that are larger than 20 liters in capacity.
  - (d) ☐ A total of 10 kilograms of inner liner from containers identified in paragraph 366.4 (d)(3) of this title.
  - (e) ☐ One hundred (100) kilograms of any residue or contaminated soil, water or other debris resulting from the cleanup of a spill, into or on any land or water, of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in paragraph 366.4 (d) 5 of this title.



- 5. NA Category 5 generator - generated 1,000 kilograms or more per month - Complete Part II.
- 6. NA Category 6 generator - stores 1,000 kilograms or more - Complete Part II.

C. Treatment, Storage or Disposal Facility Status

On-site accumulation of hazardous waste prior to shipment - 365.2 (a)7

- 1. Is hazardous waste generated and stored on-site? If so:
  - (a)        Has hazardous waste been stored on-site longer than 90 days? 365.2 (a)(7)(i) - If yes, complete Appendix A.
  - (b)        Has more than 8,800 gallons of hazardous waste been stored in containers? 365.2 (a)(7)(i) - If yes, complete Appendix A.
  - (c)        Has more than 20,000 gallons of hazardous waste been stored in tanks? 365.3 (a)(7)(i) - If yes, complete Appendix A.
- 2.        Hazardous waste received from off-site and not beneficially used, reused or legitimately recycled or stored. If yes, complete Appendix A.

3. Exemptions

If the handler is inspected other than as they notified (e.g., notified as generator/TSD - inspected as exempt generator) a full explanation should be included in Part III.

A. Generator Exemptions

- (1) NA Not a regulated handler (be sure to indicate why in Part I 1F and 1G and/or in appropriate exemption below - for example the company notified for precautionary reasons or the waste generated is not hazardous as specified in 366.1(g)(2)).
- (2) NA Delisted hazardous waste 366.4-366.6 IDENTIFY the waste that was delisted: (If the company is in the delisting process they are still regulated until their delisting petition is favorably approved) Complete appropriate parts depending on company status.

NA - The New York Times Company Requested  
DeListing from E.P.A. To Date No Reply from EPA.

...of any hazardous waste or constituent thereof into the environment during treatment. 360.1 (f)(2)(viii) and 360.1 (f)(3).

- (d) NA Elementary neutralization unit or wastewater treatment unit if owned or operated by a generator and treating only waste generated on-site - 360.1 (f)(2)(viii) and 360.1 (f)(3) - if yes, complete Part II 2A, 2B, 3C and 3D.

4. Environmental Facilities Corporation (EFC) Survey

The following questions are voluntary:

The Environmental Facilities Corporation (EFC) is actively involved in the industrial materials recycling program, and these questions will assist EFC in carrying out this program. It may also be beneficial to the facility being inspected in that acceptable markets or more economical alternatives to the facility's current disposal techniques may be brought to their attention.

- A. Does the company believe their hazardous waste has the potential for recovery, reclamation or exchange with other companies to minimize disposal costs? ☒ Yes ☐ No ☐ Don't Know

If yes:

- B. Does the company wish to list their waste stream in the Northeast Industrial Waste Exchange Listings Catalog? ☒ Yes ☐ No ☐ Don't Know
- C. Does the company want to receive additional information about the potential for waste exchange? ☒ Yes ☐ No ☐ Don't Know
- D. Does the company wish to obtain assistance from the New York State Environmental Facilities Corporation to assess the potential for recovery, reclamation or exchange of the hazardous waste stream? ☒ Yes ☐ No ☐ Don't Know

The Company representative may wish to contact Mr. Pickett Simpson, Hazardous Waste Program Manager, Environmental Facilities Corporation, 50 Wolf Road, Room 527, Albany, New York 12233 at (518) 457-4138.

EX-110-01

New York State Department of Environmental Conservation  
Division of Solid and Hazardous Waste  
Bureau of Hazardous Waste Operations  
50 Wolf Road, Albany, New York 12233

Part II

Generator Inspection Section

Indicate:

X Violations

Indicate:

X Satisfactory  
NA Not Applicable

1. Requirements for Category 1-4 Generators:

Refer to questions based upon category checked in Part I.

A.      If in Part I an exemption applies, inspection is complete if only category company is regulated under and requirements for that exemption are met. X

B. If Category 1 and 4 generators or generators exempt for used engine lubricating oil, has met the following:

     disposed in a solid waste facility - 365.1(e)(1)(i)(a) NA

     made a hazardous waste determination - 365.1(e)(1)(i)(b) NA

C. If Category 2 and 3 generators has met the following:

     made a hazardous waste determination - 365.1(e)(1)(ii)(a) X

     disposed of in authorized hazardous waste facility - 365.1(e)(1)(ii)(b) NA

     submitted document justifying exemption - 365.1(e)(1)(ii)(c) X

     used appropriate containers; properly packaged, labeled and marked during storage and shipment - 365.1(e)(1)(ii)(d) NA

     had containers and tanks stored properly; inspected at least quarterly - 365.1(e)(1)(ii)(e) NA

     had tanks designed, constructed and operated in accordance with regulations - 365.1(e)(1)(ii)(f) NA

     had tanks properly sheltered and protected - 365.1(e)(1)(ii)(g) NA

D. If Category 3 generator, has:

     annual report prepared - 365.1(e)(1)iii; and NA

     sent to DEC - 365.2(c)2 NA

Waste Found  
Non-Hazardous  
PER DETERMINATION  
MADE  
E.P. Toxicity  
TESTS SUBMITTED  
SHOWING  
WASTE NON-  
HAZARDOUS

4  
1  
Ref  
19  
OK  
P  
N  
13

Indicate:

X Violations

Indicate:

X Satisfactory  
NA Not Applicable

For Category 5 and 6 generators complete remainder of Part II.

2. Labeling & Marking

A. \_\_\_\_\_ The container is marked with the date upon which each period of accumulation begins - 365.2(a)(7)(ii)(c)

NA

B. \_\_\_\_\_ The container is labeled and marked in accordance with paragraphs 365.2(a)4 and 365.2(a)5.  
- 365.2(a)(7)(ii)(d)

NA

3. On-site accumulation of hazardous waste prior to shipment - 365.2(a)7.  
(For generators who accumulate any hazardous waste for a period of 90 days or less or store 8,800 gallons or less in containers or 20,000 gallons or less in tanks.)

NA

A. \_\_\_\_\_ All such wastes are shipped off-site to a permitted treatment, storage or disposal (TSD) facility in 90 days or less or treated on-site of generation in 90 days or less  
- 365.2(a)(7)(ii)(a)

NA

B. \_\_\_\_\_ The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container 365.2(a)(7)(ii)(c)

NA

C. Standards for management of containers - 365.2(a)8  
(This section will also be completed for TSD's as referred to from Appendix A.)

1. What type of containers are used for accumulation? Describe the size, type. (e.g., 12 fifty-five gallon drums of waste acetone).

NOT APPLICABLE - NONHAZARDOUS WASTE

FOUND ON SITE AT TIME OF INSPECTION WEDNESDAY,  
JANUARY 23, 1985

COMPANY DOES GENERATE WASTE INK WHICH ORIGINALLY MAY INITIALLY  
HAVE BEEN REGARDED AS HAZARDOUS BY GENERATOR WAS DETERMINED BY  
LATER TESTS TO BE NON-HAZARDOUS AND THEREFORE NOT SUBJECT TO

REGULATION. THE AMOUNT OF THIS WASTE INK GENERATED IS ~35 TO 45 DRUMS CURRENTLY  
PER WEEK, PER CONVERSATION WITH MR. DOMINICK MARSICANO, DIRECTOR OF PRINTING  
& PRESS ROOM GENERAL FOREMAN & MR. FRANK CHIMENTO, MAINTENANCE SUPERVISOR.

THE INK IS SUPPLIED BY G.P.I. DIVISION OF SUN CHEMICAL TO NY TIMES IN TANK TRUCK  
DELIVERIES TO BE PLACED IN (3) THREE APPROXIMATELY 7,000 GALLON TANKS. THE WASTE  
INK IS COLLECTED IN DRUMS AND TAKEN BY SUPPLIER FOR RECLAMATION.  
SINCE MATERIAL IS NON-HAZARDOUS, NO RECORD OF MANIFESTS  
SHOWN TO HAVE BEEN USED.

Indicate:

X Violations

E.P.A.I.D. No. 14D001315613

Indicate:

X Satisfactory  
NA Not Applicable

- (A) \_\_\_\_\_ Generator has taken precautions to prevent accidental ignition or reaction of ignitable or reactive waste - 365.2(a)(10)i and 360.8(c)(1)(v)(a) NA
- (B) \_\_\_\_\_ Generator has placed "No Smoking" signs conspicuously wherever there is a hazard from ignitable or reactive waste - 365.2(a)(10)i and 360.8(c)(1)(v)(a) NA
- (C) \_\_\_\_\_ The storage of ignitable or reactive wastes, and the mixture or comingling of incompatible wastes, or incompatible wastes and materials, is conducted to prevent - 365.2(a)(10)(ii) and 360.8(c)(9)(i) and 360.8(c)(1)(v) NA
- (a) \_\_\_\_\_ the generation of extreme heat or pressure, fire or explosion, or violent reaction - 365.2(a)(10)(ii)a or 360.8(c)(1)(v)(b)(1) NA
- (b) \_\_\_\_\_ production of uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to threaten human health - 365.2(a)(10)(ii)(b) or 360.8(1)(v)(b)(4) NA
- (c) \_\_\_\_\_ production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions - 365.2(a)(10)(ii)c or 360.8(c)(1)(v)(b)(3) NA
- (d) \_\_\_\_\_ the damage to the structural integrity of the device or facility containing the waste - 365.2(a)(10)(ii)d or 360.8(c)(1)(v)(b)(4) NA
- (e) \_\_\_\_\_ a threat to human health or the environment - 365.2(a)(10)(ii)e or 360.8(c)(1)(v)(b)(4) NA

D. Standards for management of tanks - 365.2(a)9

1. What are the approximate number and size of tanks containing hazardous waste?

NO TANKS ON SITE USED  
TO STORE HAZARDOUS WASTE

Indicate:

X Violations

2.1.11.2.D No. NA 1001315613

Indicate:

X Satisfactory  
NA Not Applicable

- (C) \_\_\_\_\_ The generator has abandoned use of a tank used to store hazardous waste and has removed from such tanks and related discharge control equipment and discharge confinement structures all hazardous waste and hazardous waste residues. NA

4. Manifest Records - 365.2(b)

- A. \_\_\_\_\_ It appears, from the available information, that there is a manifest copy available for each hazardous waste shipment that has been made - 365.2(b)(5)i. NA

If "violation" checked or "don't know," please elaborate.

No Record of Manifests Shown for 1982, 1983  
and 1984 At Time of Inspection, January 4, 1985

- B. Describe the approximate size of an average shipment made and how many shipments per month? NA

- C. Each manifest (a representative sample) has the following information: - 365.3(b) and 365.3(b)(1)i

	Generator	Transporter 1	Transporter 2	TSDf	
1. _____ Name of	_____	_____	_____	_____	<u>NA</u>
2. _____ EPA ID No. of	_____	_____	_____	_____	<u>NA</u>
3. _____ Mailing Address of	_____	_____	_____	_____	<u>NA</u>
4. _____ Telephone No. of	_____	_____	_____	_____	<u>NA</u>
5. _____ Manifest Document No.	_____	_____	_____	_____	<u>NA</u>
6. _____ The proper USDOT description.					<u>NA</u>
7. _____ The appropriate _____ quantity, _____ container no. _____ container type, and _____ waste type by units of weight or volume.					

REFERENCE NO. 8

THE NEW YORK TIMES COMPANY

LEGAL DEPARTMENT  
229 WEST 43 STREET  
NEW YORK, N.Y. 10036

KATHARINE P. DARROW  
General Counsel

LAURA J. CORWIN  
TRUMAN W. EUSTIS III  
GEORGE FREEMAN  
CHARLES H. KAPLAN  
KENNETH A. RICHIERI  
DAVID A. THURM  
SOLOMON B. WATSON IV

SENDER'S DIRECT  
TELEPHONE NUMBER:  
212 5561760

January 10, 1985

Mr. John L. Middelkoop, P.E.  
Supervisor, Permits Section  
Bureau of Hazardous Waste Technology  
Division of Solid and Hazardous Waste  
New York State Department of  
Environmental Conservation  
50 Wolf Road, Room 207  
Albany, NY 12233

RECEIVED  
N.Y.C.D.E.C. 1/11/85

HAZARDOUS WASTE

Re: The New York Times Company --  
EPA I.D. No. NYD001315613

Dear Mr. Middelkoop:

I am writing on behalf of The New York Times Company to request that you remove our name and EPA identification number from your list of employers who handle hazardous waste.

The Notification of Hazardous Waste Activity (a copy of which is enclosed) was filed in March 1982 by the Purchasing Department of The Times in the erroneous belief that the waste ink generated in the printing process at our 43d Street plant could not be removed unless an EPA identification number was obtained. Since our waste ink is not hazardous (see below), this assumption was incorrect. As indicated in the enclosed correspondence, The Times endeavored to get its name removed from the EPA list in 1983. Indeed, until being contacted recently by Mr. Jerome Reardon of your office, we believed that our name had in fact been removed from this list.


In support of The Times' request, I am enclosing, in addition to the above materials, a report from our independent consultant, Atlantic Environmental, and their laboratory, The Environmental Health Laboratory of Continental Technical Services indicating that the black news ink sludge generated at our 43d Street plant is not



hazardous. I am also enclosing a copy of 1983 correspondence between our then Safety Director Harvey Siegel and a Mr. Carlomagno of your office which reflects Mr. Carlomagno's agreement that since the ink is not hazardous, hazardous waste manifests are not warranted.

If you have any questions on this matter, please feel free to contact me. I would appreciate receiving a confirmation from you when our name and number have been removed from your list. Thank you very much for your consideration in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'K. A. Richieri', written over the typed name.

Kenneth A. Richieri

/sf  
Enclosures

cc: Richard A. Baker

REFERENCE NO. 9

**RECEIVED**  
N.Y.S.D.E.C. REGION 2

JAN 16 1985

**SOLID AND  
HAZARDOUS WASTE**

January 16, 1985

Mr. Kenneth A. Richieri  
The New York Times Company  
Legal Department  
229 West 43 Street  
New York, NY 10036

Dear Mr. Richieri:

This is in response to your letter to John Middelkoop dated January 10, 1985, regarding removing your company name and EPA ID Number from our list of hazardous waste handlers.

As of today, the New York Times Company will be removed from our list of active hazardous waste handlers. If you should continue to get correspondence from us or have any further questions on this matter, please contact me at telephone number 518/457-6858.

Sincerely,

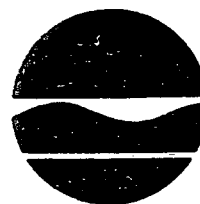
Salvatore J. Carlomagno, P.E.  
Senior Sanitary Engineer  
Manifest Section  
Bureau of Hazardous Waste Operations  
Division of Solid and Hazardous Waste

cc: J. Middelkoop

SJC:go

**REFERENCE NO. 10**

New York State Department of Environmental Conservation  
50 Wolf Road, Albany, New York 12233-0001



Henry G. Williams  
Commissioner

APR 26 1985

**RECEIVED**  
N.Y.S. DEPARTMENT 2

MAY 2 1985

**SOLID AND  
HAZARDOUS WASTE**

Mr. George Fried  
Newsprint Manager  
New York Times Company  
229 West 43rd Street  
New York, New York 10036

RE: Hazardous Waste Compliance Inspection Date: January 23, 1985  
Location of Handler: Same as Above

EPA Identification Number: NYD001315613

Dear Mr. Fried:

In order to determine compliance with the New York State Hazardous Waste Regulations, the New York State Department of Environmental Conservation conducted an inspection of your facility on the above referenced date.

It has been determined that your facility is not subject to the New York State Hazardous Waste Regulations at this time. A copy of the Inspection Form is enclosed for your records.

Please note, however, that you did previously notify the U.S. Environmental Protection Agency (USEPA) as a treatment, storage, and/or disposal facility (TSDF). Since your facility was found to be operating as a non-regulated handler, you must contact:

Mr. John L. Middelkoop, P.E.  
Supervisor of the Permits Section  
Bureau of Hazardous Waste Technology  
Division of Solid and Hazardous Waste  
50 Wolf Road - Room 207/401  
Albany, New York 12233-0001  
(518) 457-0532

and request, in writing, that your facility be reclassified from a treatment, storage, and/or disposal facility to a non-regulated handler status.

Thank you for your cooperation.

Sincerely,



David Mafrici, P.E.  
Chief  
Bureau of Hazardous Waste Operations  
Division of Solid and Hazardous Waste

Enclosure

cc: w/o enc. - Mr. Cyril Moore, Regional Attorney, Region 2  
Mr. Salvatore Ervolina, Regional Solid Waste Engr., Region 2  
Mr. Jerome J. Riordan, Inspector, Region 2  
Mr. Armand DeAngelis, Inspector, Region 2  
New York State Department of Environmental Conservation  
  
Mr. John L. Middelkoop, Supervisor, Central Office  
Mr. Janakrai M. Desai, Reviewer, Central Office  
New York State Department of Environmental Conservation

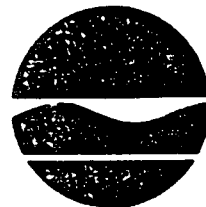
**RECEIVED**  
N.Y.S.D.E.C.-REGION 2

MAY 2 1985

**SOLID AND  
HAZARDOUS WASTE**

**REFERENCE NO. 11**

New York State Department of Environmental Conservation  
50 Wolf Road, Albany, New York 12233-0001



Henry G. Williams  
Commissioner

JUN 04 1985

**RECEIVED**  
N.Y.S.D.E.C. REGION 2

JUN 1985

**SOLID AND  
HAZARDOUS WASTE**

Mr. Kenneth A. Richieri  
The New York Times Company  
Legal Department  
229 West 43 Street  
New York, NY 10036

Dear Mr. Richieri:

I am responding to your letter to me dated May 24, 1984 requesting confirmation of the reclassification of The New York Times Company.

The change has been made in our records. The status of The New York Times Company has been changed from a treatment storage and/or disposal facility to a non-regulated handler status.

Sincerely,

John L. Middelkoop, P.E.  
Supervisor  
Permit Section  
Bureau of Hazardous Waste Technology  
Division of Solid and Hazardous Waste

cc: K. Koewiz

bcc: P. Counterman  
J. Middelkoop  
D. Blackman  
S. Ervolina



**REFERENCE NO. 12**

LEVEL: REG. 02  
SELECTION: INTEGRATED  
SEQUENCE: REG, ST, SITE NAME

U.S. EPA SUPERFUND PROGRAM

\*\* C E R C L I S \*\*

PAGE: 394  
RUN DATE: 04/01/91  
RUN TIME: 09:01:45

REGION: 02

LIST-4: SITE ALIAS LOCATION LISTING

VERSION: 1

EPA ID	SITE/ALIAS NAME STREET CITY COUNTY NAME	STATE COUNTY	ZIP CODE	ALIAS SEQ. #	NAME SOURCE	FED FAC
NYD986904639	NEW SCOTLAND AVENUE 120 NEW SCOTLAND AVENUE ALBANY	NY 001	12201			N
	NEW SCOTLAND AVENUE ALBANY	NY		01		
NYD980531495	NEW WINDSOR LANDFILL SILVER STREAM RD NEW WINDSOR ORANGE	NY 071	12550		STS	N
NYD986866390	NEW YORK EMULSIONS TAR PRODUCTS WASHINGTON ST. UTICA ONEIDA	NY 065	13501			N
	NEW YORK EMULSIONS TAR PRODUCTS ONEIDA	NY		01		
NYD980654370	NEW YORK ORDNANCE WORKS THREE RIVERS GAME MGMT AREA RADISON ONONDAGA	NY 067	13027		EPA	N
	GOV'T PICNIC ACID PLANT			01		
NYD012848602	NEW YORK STATE ELECT MILLIKEN STATION LANSING TOMPKINS	NY 109	14882		STS	N
NYD081906984	NEW YORK STATE ELECT 50 MAIN ST BREWSTER PUTNAM	NY 079	10509		STS	N
NYD001315613	NEW YORK TIMES CO 229 W 43 ST NEW YORK NEW YORK	NY 061	10036			N

LEVEL: REGION: 02  
SELECTION: INTEGRATED  
SEQUENCE: REG, ST, SITE NAME

U.S. EPA SUPERFUND PROGRAM

\*\* C E R C L I S \*\*

PAGE: 395  
RUN DATE: 04/01/91  
RUN TIME: 09:01:45

LIST-4: SITE ALIAS LOCATION LISTING

VERSION: 1

REGION: 02

EPA ID	SITE/ALIAS NAME STREET CITY COUNTY NAME	STATE COUNTY	ZIP CODE	ALIAS SEQ. #	NAME SOURCE	FED FAC
NYD001315613 (CONTINUED)	NEW YORK TIMES CO			01		
		NY				
NYD980534846	NEWBURGH LF PIERCES RD NEWBURGH ORANGE	NY 071	12550		STS	N
NYD092468198	NEWCO CHEMICAL WASTE SYSTEMS INC 4626 ROYAL AVE NIAGARA FALLS NIAGARA	NY 063	14303		NOTIS	N
	FRONTIER CHEMICAL WASTE			01		
NYD052782497	NEWSDAY INC 235 PINELAWN ROAD MELLVILLE SUFFOLK	NY 103	11747			D
	NEWSDAY INC SUFFOLK			01		
NYD000513978	NEWSTEAD LF SAND HILL RD NEWSTEAD ERIE	NY 029	14001		STS	N
NYD986883387	NEWSTEAD SITE 8471 FLETCHER RD NEWSTEAD ERIE	NY 029	14001			D
	NEWSTEAD SITE			01		
		NY				
NYD001469014	NEWTON FALLS PAPER R D #1 NEWTON FALLS ST LAWRENCE	NY 089	13666		EPA	N

REFERENCE NO. 13

LEVEL: REG J2  
ELECTION:  
SEQUENCE: REGION, STATE, SITE NAME  
EVENTS: ALL

U.S. EPA SUPERFUND PROGRAM

\*\* C E R C L I S \*\*

PAGE: 338  
RUN DATE: 04/01/91  
RUN TIME: 08:59:46

LIST-8: SITE/EVENT LISTING

VERSION: 1

PA ID NO.	SITE NAME STREET CITY COUNTY CODE AND NAME	STATE ZIP CONG DIST.	NFA. FLAG	OPRBLE UNIT	EVENT TYPE	ACTUAL START DATE	ACTUAL COMPL DATE	CURRENT EVENT LEAD
NYD081906984	NEW YORK STATE ELECT 50 MAIN ST BREWSTER 079 PUTNAM	NY 10509		00	DS1 PA1 HR1 S11	05/01/83	12/12/79 05/01/83 05/01/83 05/01/83	EPA (FUND) EPA (FUND) OTHER EPA (FUND)
NYD001315613	NEW YORK TIMES CO 229 W 43 ST NEW YORK 061 NEW YORK	NY 10036		00	DS1		08/24/90	EPA (FUND)
NYD980534846	NEWBURGH LF PIERCES RD NEWBURGH 071 ORANGE	NY 12550		00	DS1 PA1 S11		01/24/86 09/24/86 09/22/87	EPA (FUND) EPA (FUND) EPA (FUND)
NYD092468198	NEWCO CHEMICAL WASTE SYSTEMS INC 4626 ROYAL AVE NIAGARA FALLS 063 NIAGARA	NY 14303		00	DS1 PA1 S11	08/01/85	10/01/78 12/01/79 08/29/85	EPA (FUND) EPA (FUND) EPA (FUND)
NYD052782497	NEWSDAY INC 235 PINELAWN ROAD MELLVILLE 103 SUFFOLK	NY 11747		00	DS1 PA1	02/28/89	02/28/89 03/31/89	EPA (FUND) EPA (FUND)
NYD000513978	NEWSTEAD LF SAND HILL RD NEWSTEAD 029 ERIE	NY 14001		00	DS1 PA1 S11	11/01/81	04/01/80 11/01/81 11/01/81	EPA (FUND) EPA (FUND) EPA (FUND)
NYD986883387	NEWSTEAD SITE 8471 FLETCHER RD NEWSTEAD 029 ERIE	NY 14001		00	RV1 RV2 DS1 S11	08/29/89 09/27/89	09/27/89	EPA (FUND) RESP. PARTY
				01	CO1	07/01/90 09/26/90	08/22/89 09/25/90	EPA (FUND) EPA (FUND) RESP. PARTY
NYD001469014	NEWTON FALLS PAPER R D #1 NEWTON FALLS 089 ST LAWRENCE	NY 13666		00	DS1 PA1	03/16/87	02/16/87 03/19/87	EPA (FUND) EPA (FUND)